

REMARKS

This Response is submitted in reply to the Final Office Action dated November 13, 2006. Claims 1, 11 to 13, 22, 24 and 26 have been amended. No new matter has been added by any of these amendments.

A Request for Continued Examination and a Petition for a One-Month Extension of Time to file this Response are submitted herewith. Please charge deposit account number 02-1818 for the cost of the RCE, the Extension of Time and any fees associated with this Response.

The Office Action rejected Claims 1 to 32 under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,217,022 to Astaneha et al. ("Astaneha") in view of U.S. Patent No. 6,336,860 to Webb. Applicants respectfully disagree with and traverse these rejections.

Astaneha discloses a gambling game having a first wheel and a second wheel concentric to the first wheel. Each wheel has a color and number associated with it. The gambling game includes a single common wagering area for both wheels where a player can place different bets on boxes designating either a color, a number, or a combination of colors. A player wins when either of the wheels stop on a color, a combination of colors, or a number on which the player placed a wager. In one embodiment, the common wagering area enables a player to wager on a box designating summation, subtraction, or multiplication. If a player wagers on one of the boxes designating summation, subtraction or multiplication, that operation is performed on each of the numbers on which the two wheels stop. In this embodiment, if a bet was placed on a number in the wagering area that is equal to the summation, subtraction, or multiplication of the two numbers for which the two wheels stopped, the game provides an award to a player. For example, referring to Fig. 3, if a player placed a wager on the "+" box (i.e., the summation box) and also placed a wager on the number twenty-three, and as seen in Fig. 1, the first wheel stopped to indicate the number ten and the second wheel stopped to indicate the number thirteen, then the gambling game would sum the indicated number ten with the indicated number thirteen to result in the number twenty-three. As the player placed a wager on the resulting number twenty-three, the player would win an award in the gambling game. In this example, the player does not win an

award of twenty-three, but rather an award based on their amount bet and the odds associated with the player's bet.

Webb discloses a game of chance with game symbols having a first defining criteria (e.g., a value or rank) and a second defining criteria (e.g., a color or shape), wherein the second defining criteria can be used to provide the player with an additional award when the second defining criteria of two or more game symbols is the same irrespective of the first defining criteria. The game offers awards based on resulting patterns and a comparison with established winning patterns. The award in Webb is an award based on a winning array of patterns, not an award based on one outcome or value being modified by another outcome or value.

The Interview Summary dated March 7, 2007 states that "the reference of Astaneha and its interpretation was also discussed, and the Examiners and the Applicant agreed that, the reference reads on the claims as present amendment." Applicants respectfully disagree with this statement. Applicants' representatives did not agree to this. Rather, Applicants submit that for the reasons discussed in the Response to Office Action dated July 24, 2006, the claims are patentable over Astaneha and Webb. Nonetheless, to expedite prosecution of the present application, Applicants have amended certain claims to clarify that the generated values/outcomes are each generated for each play of the game.

Amended independent Claim 1 is directed to a gaming device which includes, amongst other elements, an award adapted to be provided to the player, the award determined based on at least one of generated award value modified by at least one generated modifier value, wherein the at least one generated award value and the at least one generated modifier value are each generated for each play of the game.

Amended independent Claim 13 is directed to a gaming device which includes, amongst other elements, an award adapted to be provided to the player, the award determined based on at least one generated first value modified by at least one generated second value, wherein the at least one generated first value and the at least one generated second value are each generated for each play of the game.

Amended independent Claim 24 is directed to a gaming device which includes, amongst other elements, an award adapted to be determined and provided to the player

based on at least one generated first outcome modified by at least one generated second outcome, wherein the at least one generated first outcome and the at least one generated second outcome are each generated for each play of the game.

Amended independent Claim 26 is directed to a method of operating a gaming device having a game operable upon a wager, for each play of the game, the method includes, amongst other steps, providing a player an award, the award determined based on the indicated first value modified by the indicated second value.

In the telephone interview, the Examiner generally stated that the odds associated with the player's bet in Astaneha are the modifier/second values of independent Claims 1, 13 and 26. For example, the odds of the number 23 resulting from the two indicated numbers of Astaneha represent the modifier/second values of independent Claims 1, 13 and 26. Applicants respectfully disagree. Nonetheless, as discussed during the telephone interview, Applicants submit that even under this interpretation of Astaneha, the odds associated with the player's bet (i.e., the at least one generated modifier/second value of amended independent Claims 1, 13 and 26) are not generated for each play of the game. The odds of Astaneha are set during the development of the gambling game to correspond with the outcomes which can be wagered on at the single common wagering area. On the other hand, in the gaming devices and method of operating a gaming device of independent Claims 1, 13 and 26, the at least one generated award/first value and the at least one generated modifier/second value are each generated for each play of the game.

Moreover, in responding to Applicants' arguments presented in the July 24, 2006 Response to the May 11, 2006 Office Action, the Office Action states that the:

Applicants argue that reference does not provide an award to the players based on at least one generated award value modified by at least one modifier value. The Examiner respectfully disagrees with the Applicants. Astaneha teaches of selecting a number in the inner reel and also selecting a number in the outer reel, where the machine adds, subtracts or multiplies the numbers, thus modifying them to enhance winnings.

Applicants respectfully disagree. Applicants submit that while Astaneha discloses selecting a first number on the inner reel, selecting a second number on the outer reel and adding/subtracting/multiplying the first and second numbers to result in a third number, that third number is not provided to the player as an award. Rather, in a

roulette-type game wherein two wheels are utilized (to increase the number of wagering opportunities available to the player), the gambling game of Astaneha determines if the player bet on the resulting third number being generated and if so, provides the player an award accordingly. That is, as the resulting third number in Astaneha is not provided to the player as the award, Astaneha (or Webb) does not teach, disclose or suggest determining an award to provide the player, wherein the determined award resulted from the modification of a first generated value/outcome and a second generated value/outcome.

Applicants respectfully submit that unlike the gaming devices/methods of operating a gaming device of amended independent Claims 1, 13, 24 and 26 wherein the award provided to the player is determined based on at least one generated award value/outcome modified by at least one generated modifier value/outcome, neither Astaneha or Webb individually, nor the gaming device resulting from the combination thereof teaches, discloses or suggests an award provided to the player, wherein the award is determined based on a value/outcome modified by another value/outcome and the generated values/outcomes are each generated for each play of the game. For at least these reasons, Applicants respectfully submit that amended independent Claims 1, 13, 24, and 26 are patentable over Astaneha and Webb and are in condition for allowance.

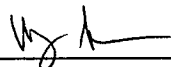
Claims 2 to 12, 14 to 23, 25, 27 to 32 depend directly or indirectly from independent Claims 1, 13, 24, 26 are therefore also allowable at least for the reasons given with respect to Claims 1, 13, 24 and 26.

An earnest endeavor has been made to place this application in condition for allowance, and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY

A handwritten signature in black ink, appearing to be 'H. M. Abern', is written over a horizontal line.

Holby M Abern
Reg. No. 47,372
Customer No. 29159

Dated: March 12, 2007